

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): B. TOWNSEND, et al.

Serial No.: 10/814,260

Filed: April 1, 2004

For: PROSTHETIC FOOT WITH TUNABLE PERFORMANCE

Group: 3774

Examiner: Javier G. BLANCO

Conf. No.: 6963

**TERMINAL DISCLAIMER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

September 11, 2008

Sir:

Petitioner, Bioquest Prosthetics LLC, a California limited liability company having a place of business at 4615 Sheppard Street, Bakersfield, California 93313 represent that they are the sole owners of the entire interest of U.S. Serial No. 10/814,260, for PROSTHETIC FOOT WITH TUNABLE PERFORMANCE.

Petitioner hereby disclaims all that portion of the term of any patent to be issued on the above-identified application subsequent to the expiration date of the full statutory term, defined in 35 U.S.C. 154 to 156 and 173, of any U.S. patent issuing on commonly owned U.S. Serial Nos. 10/473,682 and 10/594,796 and hereby agrees that any patent issued on the above-identified application shall be enforceable only for and during such time as the said U.S. patent issuing on U.S. Serial No. 10/473,682 or 10/594,796 and the above-identified application are commonly owned.

Petitioner, however, does not disclaim the terminal part of any patent granted

on the instant application prior to the expiration date of the full statutory term, defined in 35 U.S.C. 154 to 156 and 173, of the said U.S. patent issuing on U.S. Serial No. 10/473,682 or 10/594,796 in the event that said U.S. patent expires: for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is otherwise terminated prior to expiration of the above-referred-to full statutory term, except for the separation of legal title as stated above.

This disclaimer is to be binding with respect to any patent granted on the above-identified application, and is binding upon grantees, their successors, or assignees of any interests.

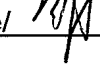
The undersigned is an attorney of record in this application and is empowered to act on behalf of Bioquest Prosthetics LLC for execution and submission of Terminal Disclaimer, in accordance with the provisions of 37 CFR 1.321(b) and (c), effective January 4, 1994.

The undersigned hereby declares that all statements made herein of his knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code

and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully Submitted,

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